S/N: 10/522,360

Reply to Office Action of October 20, 2008

**Amendments to the Drawings:** 

The attached sheets of drawings includes changes to Fig. 2 and Fig. 3a. These sheets, which includes Figs. 1, 2, 3a and 3b, replaces the original sheets including Figs. 1, 2, 3a

and 3b.

Attachment: Replacement Sheets

-8-

S/N: 10/522,360 Reply to Office Action of October 20, 2008

## Remarks

This Amendment has revised the application which is believed to be in an allowable condition for reasons discussed below.

Applicants reconfirm the election of claims 1-17 and 21-26 and by this Amendment have cancelled claims 18-20 such that there is no further issue with respect to the restriction requirement.

In regard to the objection of the drawings under 37 C.F.R. § 1.83(a), it is respectfully submitted that the replacement drawing sheets 1 and 2 now show every feature of the invention specified in the claims. More specifically, new drawing sheet 1 has a Figure 2 that shows the ultrasonic oscillator as does Figure 3a in the new drawing sheet 2 such that the recitals of claims 1 and 21 are supported. In addition, Figure 2 of the new drawing sheet 1 also shows the refrigeration circuit recited in claim 6 and the control means recited in claim 21. Furthermore, it is respectfully submitted that Figures 9a and 9b of drawing sheet 5 show the bar top beer pump recited by claim 26 and that the recited switches are illustrated as identified by reference numerals 29 and 31. The drawing addition of the ultrasonic oscillator, control means and refrigeration circuit are all in schematic box format such that it is clear that no new matter has been added.

In regard to the 35 U.S.C. § 112 rejections, it is also respectfully submitted that all of these rejections have been overcome. The specification has been revised to recite the "refrigeration circuit", the "two switches", the "5 seconds" and the "bar top beer pump" all of which are part of the original disclosure in the recital of the claims such that no new matter has been added.

All of the claims are also now believed to be in an allowable condition. More specifically, claim 1 has been amended to recite the subject matter of claim 10 (as dependent from claim 9 through claim 8), which was indicated to be allowable in the Office Action. Furthermore, claim 6, which was indicated to be allowable in the Office Action, has been revised to be in

S/N: 10/522,360 Atty Dkt No. UDL 0169 PUSA

Reply to Office Action of October 20, 2008

independent format. In additional claims 8-10 have been cancelled as well as the method claims

18-20 as discussed above. Furthermore, claim 21 has been revised to incorporate the subject

matter of claim 22 which was indicated to be allowable in the Office Action.

Thus, claim 1 and its remaining dependent claims 2-5 and 11-16, claim 6 and its

dependent claim 7, and claim 21 and its remaining dependent claims 23-26 all recite allowable

subject matter.

For the reasons set forth above, it is respectfully submitted that this application is

now in an allowable condition such that it is appropriate to hereby respectfully solicit its

allowance.

Please charge any fees or credit any overpayments as a result of the filing of this

paper to our Deposit Account No. 02-3978.

Respectfully submitted,

PAUL SMITH ET AL.

Reg. No. 25,634

Attorney for Applicants

Date: <u>January 13, 2009</u>

**BROOKS KUSHMAN P.C.** 

1000 Town Center, 22nd Floor

Southfield, MI 48075-1238 Phone: 248-358-4400

Fax: 248-358-3351

-10-